



## UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 28 2002BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
UNITED STATES PATENT AND TRADEMARK OFFICE  
LOS ANGELES  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/027,877	12/19/2001	William E. Webler	5618P2977

08791  
BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR  
LOS ANGELES, CA 90025

CONFIRMATION NO. 1005  
FORMALITIES LETTER

\*OC000000007347022\*

Date Mailed: 01/23/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

B. Hantewold

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/29/2002 HN00R1 00000000 10027877  
130.00 UP  
01 FC:105

Attorney Docket No.: 5618P2977



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

WILLIAM E. WEBLER

Application No.: 10/027,877

Filed: December 19, 2001

For: **METHOD AND APPARATUS FOR  
DETERMINING INJECTION DEPTH AND  
TISSUE TYPE**

Assistant Commissioner for Patents  
**Attention: Box Missing Parts**  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Sir:

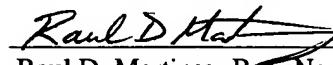
In response to the Notice to File Missing Parts of Application mailed January 23, 2002, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 CFR § 1.16(e); and
- (3) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

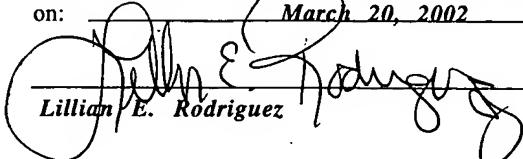
  
Raul D. Martinez, Reg. No. 46,904

Dated: March 20, 2002

12400 Wilshire Blvd., 7th Floor  
Los Angeles, California 90025  
Telephone: (310) 207-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Attention: Box Missing Parts, Washington, D.C. 20231 on: March 20, 2002

03/20/02

  
Lillian E. Rodriguez

Date

MAR 28 2002

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



H

MPP

**TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Application Number 10/027,877

Filing Date December 19, 2001

First Named Inventor William E. Webler

Group Art Unit 3762

Examiner Name

Total Number of Pages in This Submission

12

Attorney Docket Number 5618P2977

**ENCLOSURES (check all that apply)**

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Assignment Papers<br><i>(for an Application)</i>               | <input type="checkbox"/> After Allowance Communication to Group  |
| <input checked="" type="checkbox"/> Fee Attached                                     | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  |
| <input type="checkbox"/> Amendment / Response  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group<br><i>(Appeal Notice, Brief, Reply Brief)</i>   |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                                   | <input type="checkbox"/> Petition to Convert a Provisional Application                  | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                                   | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s)<br><i>(please identify below):</i>  |
| <input type="checkbox"/> Express Abandonment Request                                 | <input type="checkbox"/> Terminal Disclaimer  | <br><br><input type="checkbox"/> Copy of Notice to File Missing Parts of Nonprovisional App.<br><input type="checkbox"/> Dec. and Power of Attorney<br><input type="checkbox"/> Check in the amt. of \$130.00<br><input type="checkbox"/> Return Postcards (2) |
| <input type="checkbox"/> Information Disclosure Statement                            | <input type="checkbox"/> Request for Refund   |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                      | <input type="checkbox"/> CD, Number of CD(s) _____                                      |  |
| <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application | <br><br><b>Remarks</b>  |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53         |   |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name Raul D. Martinez, Reg. No. 46,904

BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN

Signature

Date

March 20, 2002

**CERTIFICATE OF MAILING (OR TRANSMISSION)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

March 20, 2002

Typed or printed name Lillian E. Rodriguez

Signature

Date

03/20/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

MAR 28 2002

# FEE TRANSMITTAL for FY 2002

*Patent fees are subject to annual revision.*

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 130.00)**Complete If Known**

Application Number	10/027,877
Filing Date	12/19/01
First Named Inventor	William E. Webler
Examiner Name	
Group Art Unit	3762
Attorney Docket Number	5618P2977

**METHOD OF PAYMENT (check all that apply)** Check  Credit Card  Money Order  Other  None Deposit Account

Deposit Account Number	02-2666
Deposit Account Name	Blakely, Sokoloff, Taylor & Zafman

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application.  
 Charge fee(s) indicated below, except for the filing fee, to the above-identified deposit account

**FEE CALCULATION****1. FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
101	201	740 370 Utility filing fee	
106	206	330 165 Design filing fee	
107	207	510 255 Plant filing fee	
108	208	740 370 Reissue filing fee	
114	214	160 80 Provisional filing fee	

**SUBTOTAL (1) (\$)****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
25	-25** = 0	X 18.00 = \$0.00	
Independent Claims 3 - 3** = 0	X 84.00 = \$0.00		

Multiple Dependent Claims

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	Fee (\$)
103	203	18 9 Claims in excess of 20
102	202	84 42 Independent claims in excess of 3
104	204	280 140 Multiple Dependent claim
109	209	84 42 **Reissue independent claims over original patent
110	210	18 9 **Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)**

\* or number previously paid, if greater. For Reissues, see above

0.00

**FEE CALCULATION (continued)****3. ADDITIONAL FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
105	205	130 65 Surcharge - late filing fee or oath	130
127	227	50 25 Surcharge - late provisional filing fee or cover sheet.	
139	139	130 130 Non-English specification	
147	2,520	2,520 2,520 For filing a request for ex parte reexamination	
112	920	920 920 Requesting publication of SIR prior to Examiner action	
113	1,840	1,840 1,840 Requesting publication of SIR after Examiner action	
115	215	110 55 Extension for response within first month	
116	216	400 200 Extension for response within second month	
117	217	920 460 Extension for response within third month	
118	218	1,440 720 Extension for response within fourth month	
128	228	1,960 980 Extension for response within fifth month	
119	219	320 160 Notice of Appeal	
120	220	320 160 Filing a brief in support of an appeal	
121	221	280 140 Request for oral hearing	
138	1,510	1,510 1,510 Petition to institute a public use proceeding	
140	240	110 55 Petition to revive - unavoidably	
141	241	1,280 640 Petition to revive - unintentionally	
142	242	1,280 640 Utility issue fee (or reissue)	
143	243	460 230 Design issue fee	
144	244	620 310 Plant issue fee	
122	122	130 130 Petitions to the Commissioner	
123	123	50 50 Petitions related to provisional applications	
126	126	180 180 Submission of Information Disclosure Stmt	
581	581	40 40 Recording each patent assignment per property (times number of properties)	
146	246	740 370 Filing a submission after final rejection (37 CFR 1.129(a))	
149	249	740 370 For each additional invention to be examined (37 CFR 1.129(b))	
179	279	740 370 Request for Continued Examination (RCE)	
169	169	900 900 Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

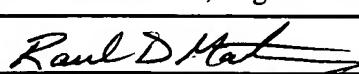
\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)**

130.00

**SUBMITTED BY**

Complete (if applicable)

Typed or Printed Name	Raul D. Martinez, Reg. No. 46,904	Registration No. (Attorney/Agent)	Telephone	(310) 207-3800
Signature			Date	03/20/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.